IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 32162 of 2006(D)

PETITIONER:

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1. T.P.GEORGE, AGED 58 YEARS, S/O. PAULOSE,
   VAIPEL HOUSE, MEVELLOOR P.O.,
   KOTTAYAM DISTRICT.

2. P.N.PRAKASHAN,
   PALACKAVAIPEL HOUSE, MEVELLOOR P.O.,
   KOTTAYAM DISTRICT.

3. T.K.JOSE,
   POOTHRUKKAYIL HOUSE, MEVELLOOR P.O.,
   KOTTAYAM DISTRICT.

4. MARY ABRAHAM,
   MAZHUKUNNEL HOUSE, THONNALLOOR,
   MEVELLOOR P.O., KOTTAYAM DISTRICT.

5. M.M.MATHEW,
   MANIPPADOM HOUSE, UDAYANAPURAM P.O.,
   VAIKOM TALUK, KOTTAYAM DISTRICT.

6. DINISHAN N.G.,
   NADUVILEPARAMBIL HOUSE, THONNALLOOR P.O.,
   MEVELLOOR P.O., KOTTAYAM DISTRICT.

7. P.K.RADHAKRISHNAN,
   PANCHAVADIYIL, PADINJAREKKARA P.O.,
   VAIKOM, KOTTAYAM DISTRICT.

8. BABUKUMAR V.G.,
   VALLOPALLIL HOUSE, THONNALLOOR P.O.,
   MEVELLOOR P.O., KOTTAYAM DISTRICT.

9. V.G.JAYASREE,
   PATHRUVAMADATHIL HOUSE, KAIPPATTOOR P.O.,
   ERNAKULAM DISTRICT.

BY ADV. SRI.JOBI JOSE KONDODY

RESPONDENTS:
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1. THE GEOLOGIST,
   MINING AND GEOLOGY DISTRICT OFFICE,
   COLLECTORATE P.O., KOTTAYAM-2.

2. THE REVENUE DIVISIONAL OFFICER,
   PALAI, KOTTAYAM DISTRICT.

3. THE STATE OF KERALA, REPRESENTED BY
   ITS SECRETARY, REVENUE DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC.32162/06

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE INTERIM ORDER DATED 22.1.2006 OF THIS HON'BLE COURT.

EXT.P2: TRUE COPY OF THE INTERIM ORDER IN W.P(C).34656 AND 35371/03 DATED 11.11.03 OF THIS HON'BLE COURT.

EXT.P3: TRUE COPY OF THE ORDER DATED 27.10.05 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONERS.

EXT.P4: TRUE COPIES OF THE REJECTION ORDERS DATED 15.11.2006 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONERS.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.32162 OF 2006

Dated this the 27th day of February, 2007

JUDGMENT

Perused the inspection report filed by the Revenue Divisional Officer. It shows as per the records the entire area is classified as wet land ( ). However, it does not state that the said land was put to cultivation of paddy or other crops for the preceding three years. Therefore, in terms of the Kerala Land Utilisation order, the RDO will consider the request of the petitioner for permission to convert the said land, having particular regard to the facts disclosed by the inspection report. It is obvious from the inspection report that no useful purpose will be served by making any attempt to fill the pits and convert the land into cultivable area. Hence it is directed that any application of the petitioner for permission to do so will be taken up, considered and appropriate action taken, within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of accordingly.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.